

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

Pamela Plath

Plaintiff,

v.

GC Services, LP

Defendant.

Case No.

**COMPLAINT FOR DAMAGES
UNDER THE FAIR DEBT COLLECTION
PRACTICES ACT AND OTHER
EQUITABLE RELIEF**

JURY DEMAND ENDORSED HEREIN

PARTIES

1. Plaintiff is a natural person who resided in Green Bay, WI at all times relevant to this action.
2. Defendant is a Texas limited partnership that maintained its principal place of business in Houston, TX at all times relevant to this action.

JURISDICTION AND VENUE

3. Pursuant to 28 U.S.C. §1331, this Court has federal question jurisdiction over this matter as it arises under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692 et seq.
4. Pursuant to 28 U.S.C. §1391(b), venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

STATEMENT OF FACTS

5. At all times relevant to this action, Defendant engaged in the business of consumer debt collection.
6. Defendant regularly uses the telephone and mail to collect consumer debts that Defendant either purchased or had been hired to collect.
7. The principal source of Defendant's revenue is debt collection.
8. Defendant is a "debt collector" as defined by 15 U.S.C. §1692a(6).

9. As described below, Defendant contacted Plaintiff about an obligation that Plaintiff allegedly owed to Chase Bank, which had been incurred for personal rather than commercial purposes.
10. This alleged obligation is a “debt” as defined by 15 U.S.C. §1692a(5).
11. As described below, Defendant attempted to collect the debt from Plaintiff, and in so doing, has alleged that Plaintiff owed the debt.
12. Plaintiff is a “consumer” as defined by 15 U.S.C. §1692a(3).
13. On or around January 10, 2011, Plaintiff retained an attorney to file bankruptcy.
14. On or around January 10, 2011, Plaintiff telephoned Defendant.
15. During this communication, Plaintiff notified Defendant that Plaintiff was represented by a bankruptcy attorney and provided Plaintiff’s attorney’s contact information.
16. Despite this notice, Defendant telephoned Plaintiff in connection with the collection of the debt on or around January 18, January 20, January 22, and January 23, 2011.
17. Defendant caused Plaintiff emotional distress.
18. Defendant violated the FDCPA.

COUNT ONE

Violation of the Fair Debt Collection Practices Act

19. Defendant violated 15 U.S.C. §1692c(a)(2) by communicating with Plaintiff notwithstanding knowledge that Plaintiff was represented by an attorney with respect to the debt.
20. In support hereof, Plaintiff incorporates paragraphs 15-17 as if specifically stated herein.

JURY DEMAND

21. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

22. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.

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